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Coal Surface Mining Reclamation Regulation Changes Effective May 10, 2000

- Small Operator Assistance Program eligibility; definition of government-financed construction related to Abandoned Mine Land reclamation projects -

Richmond, VA – Amendments to Virginia Coal Surface Mining Reclamation Regulations that incorporate changes made to federal coal surface mining reclamation regulations will become effective May 10, 2000, the Department of Mines, Minerals and Energy announced today.

The amendments to the regulations address requirements for coal mining companies participating in the Small Operator Assistance Program (SOAP) and change the definition of government-financed construction related to Abandoned Mine Land reclamation projects.

SOAP requirement changes include:

- Increasing the total annual production from 100,000 to 300,000 tons on an annual basis, pro rated upon percentage of ownership, in order to be eligible for the SOAP.
- Eliminating a requirement to provide the names of affected or adjacent property owners and locations of existing structures and developed water resources when filing for assistance.
- Expanding eligible program services and data requirements with respect to engineering, drilling, mapping, archeology or historical information, blasting, and information relating to the enhancement of environmental values.

- Having more flexibility in the use of qualified subcontractors to conduct required laboratory services.

The purpose of the SOAP is to provide for eligible coal mine operators a determination of probable hydrologic consequences and a statement of results of test borings or core samplings that are required components of the permit application.

Changes to the definition of government-financed construction now includes projects funded by a government entity at a level less than 50 percent when the project is an approved reclamation project under Title IV, Abandoned Mine Reclamation, of the Federal Surface Mining Control and Reclamation Act. The removal of the requirement for 50 percent government funding allows private companies to underwrite most of the reclamation on an AML project through the sale of incidental coal recovered from the project site. Coal removed and sold is limited to that which must be removed to accomplish the required reclamation. Such projects in many cases reduce the state and the AML programs' costs, and these savings will be used for reclamation at other AML sites.

The amendments, which were published in the Virginia Register of Regulations on April 10, 2000, will bring the state regulations up to date with the corresponding federal regulations. Copies of the regulations may be obtained from the Department of Mines, Minerals and Energy, Customer Assistance Center, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (276) 523-8233 or 8235.

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